

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Gram Panchayats – Achanpally Gram Panchayat – Appeal Petition filed by Sri G. Vasuram Naik, Sarpanch, Achanpally Gram Panchayat, Bodhan Mandal of Nizamabad District against the Proceedings of the District Collector (PW), Nizamabad District - Disallowed - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 673

Date: 30.04.2011

Read the following:-

1. G.O. Rt No. 688, PR & RD (PTS.II) Deptt,dt 18-05-2010.
2. From the Asst. Registrar, A.P.H.C, Hyd. W.P. No. 12191 of 2010 , dt 10-06-2010.
3. From the Asst. Registrar, APHC,Hyd., W. A No. 503 of 2010, Dt. 06-07-2010.
4. From the Jt. Registrar, APHC,Hyd., W. A No. 503 of 2010., dt 03-12-2010.
5. From the District Collector (PW), Nizamabad Roc.No. 677/2009-B5(Pts) dt 22-12-2010.
6. Govt. Telegram No. 15143/Pts.II/A1/2010-6,dt 8-04-2011.

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ORDER:

In the reference 1st read above, Government after detailed examination of the Appeal Petition filed by Sri G. Vasuram Naik, Sarpanch, Achanpally Gram Panchayat, Bodhan Mandal of Nizamabad District has rejected duly vacating stay granted vide Memo dated 31-03-2010 since the petitioner has misappropriated the huge amount of Gram Panchayat.

2. Aggrieved by the said orders, in the reference 2nd read above Sri G. Vasuram Naik, Achanpally Gram Panchayat, Bodhan Mandal of Nizamabad District has filed WP No. 12191/10 before to the Hon'ble High Court and the Hon'ble High Court has dismissed the WP. No.12191/10, dated. 10.6.10.

3. In the reference 3rd read above, the Hon'ble High Court has granted status quo as on date.

4. In the reference 4th read above the Hon'ble High Court has directed to the Government to dispose of the appeal filed by the appellant afresh after giving reasonable opportunity to the appellant as required under section 249 (1) of the Act, within two months from the date of receipt of this Government order.

5. In the reference 5th read above the District Collector (PW), Nizamabad Lr. Dated. 22.12.2010 has reported that the Sarpanch has booked expenditure to a tune of Rs. 3,67,213/- on various works as per M.Bs, but he failed to get the check measurement of works in M. Books. Thus he has committed procedural irregularity and made payments of Rs. 3,67,213/-. Further he has booked expenditure to a tune of Rs. 1,80,928/- but he failed to submit the records and he has not got the approval of the Gram Panchayat. Thus he has misused an amount of Rs. 1,80,928/-. Hence he was removed from the Post of Sarpanch vide proceedings of District Collector (PW), Nizamabad, dated 19-02-10.

6. The case was heard on 16-04-2011. The District Panchayat Officer, Nizamabad, Sarpanch, Achampalli Gram Panchayat and his Counsel have attended the hearings. After hearing them, and on perusal of the records available, it is

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observed that the Sarpanch was removed by the District Collector, Nizamabad for misuse of funds and misappropriation of Rs. 1,80,928/-. It is also observed that he carried out certain works worth of Rs. 3,67,213/- for which there is no check measurements. The Sarpanch has stated that he had done the developmental works with good intension and the officials are not cooperating. Further he had done another work with his own funds worth of Rs. 3.00 lakhs, for which he has not submitted the bills and requested to settle the same. In view of, it is clear that the Sarpanch, Achanpally had misappropriated and issued the Gram Panchayat funds.

7. Government after detailed examination of the case and material available in the records hereby decided that , the Appeal Petition filed by Sri G. Vasuram Naik, Sarpanch, Aachanpally Gram Panchayat, Bodhan Mandal of Nizamabad District is hereby disallow the appeal.

8. The District Collector (PW), Nizamabad District is directed to get the works physically verified and check measured the works and to settle the bills to him if any or to recover the amount if he is due to the Gram Panchayat

9. The District Collector (PW), Nizamabad District shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The District Collector (PW), Nizamabad District.
The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.
The District Panchayat Officer, Nizamabad District.

Copy to:

Sri G. Vasuram Naik, Sarpanch, Aachanpally Gram Panchayat, Bodhan Mandal, Nizamabad District
The P.S to M(PR & RWS)
The Government Pleader for PR, APHC., Hyderabad.(with a request to brought to the matter before the Hon'ble High Court of AP, Hyderabad.)
Sf/Sc.

// FORWARDED:: BY ORDER//

SECTION OFFICER